

# **Exhibit B**

**From:** Joseph Kaye <joseph@moskowitz-law.com>  
**Sent:** Wednesday, May 28, 2025 8:28 PM  
**To:** Jessica.stebbinsbina@lw.com  
**Cc:** Rejane Passos <rejane@moskowitz-law.com>  
**Subject:** Re: FTX brand ambassador timing

Thanks, Jessica.

First, the length of the complaint (as you will see when we file it tonight) merely reflects the number of defendants and the evidence against each, including marketing materials and social media posts that have been in Defendants' possession for well over a year (which have simply been consolidated from the several pending complaints into this one, which we were able to accomplish in the 10 days since the Court ordered us to). The complaint is straightforward, asserting only three claims per Defendant—two of which the Court has already upheld when it denied the prior motion to dismiss (Florida and Oklahoma securities claims).

This does not warrant a six-month briefing schedule to address what amounts to a single amended claim under the California securities law. As I mentioned, Plaintiffs were willing to agree to the originally proposed 45-day response period as a courtesy. We are not willing to extend beyond that. The schedule we are prepared to stipulate to is the one I previously circulated:

- **July 14, 2025:** Defendants answer or file a consolidated motion to dismiss in accordance with ECF No. 216
- **August 14, 2025:** Plaintiffs file their opposition
- **August 28, 2025:** Defendants file their reply

This gives more than enough time to address a three-count complaint. Thank you for confirming the page limits under ECF No. 216 remain in effect and that Defendants will be filing a consolidated 40-page motion.

Moreover, the discussion of the complaint on our call was only pertinent to whether the Defendants would oppose a motion to file the unredacted version of the complaint under seal, and was not an invitation to renegotiate the briefing schedule. I received a voicemail from Stephen Warren at Holland & Knight who confirmed that Wasserman does not oppose filing those materials under seal, so thank you for passing the message along.

Second, with respect to the Protective Order, the draft we circulated reflects the Order that Magistrate Judge Sanchez entered after parties' prior negotiations and a discovery hearing (ECF No. 483, attached, which many defendants in this MDL have operated under while we conducted limited discovery), and includes only two limited additions: a standard clawback provision and language permitting document sharing with the FTX Estate, consistent with what the Court (and FTX Bankruptcy Court) has already approved. Despite having circulated this two weeks ago, the main feedback has been that some Defendants prefer to delay discussion until after the Court rules on the discovery stay. That's not consistent with the Court's directive. We will submit our proposed Protective Order with the Discovery Motion on June 2. If Defendants later agree to it, we're happy to file a joint stipulation.

Third, as for the Case Management Order, the Court has ordered us to submit one. The proposed schedule accounts for the pending discovery motion and provides flexibility for later modification (which can always be sought on good cause). Whether or not Defendants think it's "premature," this is what the Court has required, and we expect good faith cooperation in meeting that obligation. If Defendants decline to engage now, we will include our proposed CMO with the Discovery Motion and ask the Court to decide the issue alongside the stay.

I'm available to confer further on any of these issues if you're open to doing so, even while we brief the issues, just let me know.

Best,

Joseph M. Kaye, P.A.  
Partner



Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this*

*email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** [Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Date:** Wednesday, May 28, 2025 at 7:06 PM  
**To:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Cc:** [Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Subject:** RE: FTX brand ambassador timing

Joey,

Following up on our call. As discussed, the promoter defendants plan to send over a proposed stipulation and order/joint motion for a briefing schedule to respond to the amended complaint. While we originally discussed 45 days to respond, in light of your statement that plaintiffs' complaint is now over 500 pages, we would propose 60 days to respond, 60 days for plaintiffs to oppose any new motion to dismiss, and 45 days for defendants to reply (subject to our review of the complaint once it's filed). We agree the prior page limits would still apply, including with respect to individual issues motions, unless the parties agree something different.

With respect to the draft protective order you circulated, I can confirm that the defendants are reviewing and will provide comments on it. While I know your side is eager for comments, there are more than 10 law firms that must separately review the document so it will take a bit. The review is, however, in progress and some comments have already been circulated.

Finally, with respect to the larger proposed case management order, we think it is premature in light of the fact that discovery remains stayed. We think it will be more efficient to align on a schedule after the court addresses plaintiffs' forthcoming motion to reopen discovery.

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100 | Los Angeles, CA 90067  
D: +1.424.653.5525

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Wednesday, May 28, 2025 5:35 AM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Thanks, I'll call you then

Best,

Joseph M. Kaye, P.A.  
Partner

**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176

**Mailing Address:**

P.O. Box 653409

Miami, FL 33175

Office: (305) 740-1423

Direct: (786) 309-9585

<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 28, 2025, at 12:44 AM, [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) wrote:

It will address the schedule only. Joint defense group is still looking at the protective order. I can do 3:30 ET, thanks.

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**

10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Tuesday, May 27, 2025 6:52 PM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

I'm free between 2-4pm EST tomorrow, when works for you? Is the stip as to the CMO only or to the PO as well?

Best,

Joseph M. Kaye, P.A.

Partner

**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176

**Mailing Address:**

P.O. Box 653409

Miami, FL 33175

Office: (305) 740-1423

Direct: (786) 309-9585

<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 27, 2025, at 2:19 PM, [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) wrote:

Hi Joey,

I'm tied up today but can speak tomorrow – I think we're going to send around a proposed stip from the group.

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**

10250 Constellation Blvd. Suite 1100 | Los Angeles, CA 90067

D: +1.424.653.5525

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>

**Sent:** Tuesday, May 27, 2025 5:17 AM

**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>

**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>

**Subject:** Re: FTX brand ambassador timing

Hi Jessica,

Following up on this, let me know a good time to speak today to discuss any revisions your team might have to these. Thanks

Best,

Joseph M. Kaye, P.A.

Partner

**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street

Miami, FL 33176

**Mailing Address:**

P.O. Box 653409

Miami, FL 33175

Office: (305) 740-1423

Direct: (786) 309-9585

<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 22, 2025, at 4:03 PM, Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)> wrote:

Hey Jessica,

Thanks for the call this afternoon.

I understand one of the firms from the joint defense group was assigned to review and redline the proposed protective order. I also understand some of the defendants may be reluctant to comment on the order before the Court rules on our impending Discovery Motion because they are fundamentally opposed to reopening discovery. So this doesn't hold us up, I'm writing to confirm that we agree that conferring and (hopefully) agreeing on a form of proposed protective order would be without waiver of any arguments they may raise in response to our Discovery Motion.

Regarding the proposed CMO, I hear you that parts of the proposed schedule may be hard to conceptualize at this stage before the Court rules on our discovery motion. We'll wait for your counter proposal or redlines to the CMO early next week and see if we can reach agreement or a compromise.

Regarding the amended complaint and the briefing on the motions to dismiss, we intend to file on May 28th and set out the briefing schedule in the proposed CMO consistent with our prior agreement (45 days to file, etc.). We believe ECF No. 216 governs the briefing page limits, let me know if you intend to seek to alter that in any way.

Let me know any good time on Monday or Tuesday so we can get a call in the books to discuss defendants' comments and redlines. Thanks

Best,

Joseph M. Kaye, P.A.

Partner

**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street

Miami, FL 33176

**Mailing Address:**

P.O. Box 653409  
Miami, FL 33175  
Office: (305) 740-1423  
Direct: (786) 309-9585  
<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 21, 2025, at 9:22 PM, Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)> wrote:

Hello Jessica,

Yes, let's also discuss the proposed CMO (attached), which includes a proposed briefing schedule on the next round of motions to dismiss. I'd like to keep both moving so we can talk through it and that way you can redline the defendants' position by Friday on wherever we disagree. I'll call you at noon PST/3:00pm EST tomorrow. Thanks!

Best,

Joseph M. Kaye, P.A.  
Partner  
**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176  
**Mailing Address:**  
P.O. Box 653409  
Miami, FL 33175  
Office: (305) 740-1423  
Direct: (786) 309-9585  
<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 20, 2025, at 10:13 PM, [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) wrote:

We will take a look, but no commitment to resolving this week. Anything else you want to discuss or just the PO at this point?

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

---

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** May 20, 2025 6:53 PM  
**To:** "Stebbins Bina, Jessica (CC)" <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

We can do Thursday if you think you'll need more time to discuss with the group. It's actually not that complicated, it is substantially similar to a prior version magistrate judge Sanchez entered earlier in the case that many of the promoters signed off on. Attached is a redline showing the changes since then to account for new developments. Given that the changes are minor, I'm confident we can get this done this week and shift focus to the CMO. Let me know, thanks.

Best,

Joseph M. Kaye, P.A.  
Partner  
**The Moskowitz Law Firm, PLLC**  
8883 S.W. 131 Street  
Miami, FL 33176  
**Mailing Address:**  
P.O. Box 653409  
Miami, FL 33175  
Office: (305) 740-1423  
Direct: (786) 309-9585  
<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 20, 2025, at 9:02 PM, [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) wrote:

Hi Joey,

Did you want to talk tomorrow or Thursday? Your email says both. Tomorrow at 11:30 PT is ok for me. I'll send the proposed protective order to the group but I wouldn't get your hopes up that will be signed off on by this week – too many parties and counsel to weigh in. So if that's what you're hoping to discuss tomorrow it might be better to find time next week after folks have had a meaningful chance to review.

The only thing that seems time-sensitive here is if plaintiffs are looking to adjust their time to file the consolidated promoter track complaint, as well as coming up with a timetable for briefing any responses to it. But if you're not looking for extra time, we can discuss probably briefing schedule and next steps after we review the amended complaint. And of course it would be helpful to discuss the proposed CMO once you have something in mind.

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**

10250 Constellation Blvd. Suite 1100 | Los Angeles, CA 90067

D: +1.424.653.5525

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Tuesday, May 20, 2025 5:53 PM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Hello Jessica,

Can you talk tomorrow around 11:30am PST/2:30pm EST? I'm also available after noon PST/3:00EST on Thursday if that works better. We can address everything. Attached is Plaintiffs' proposed uniform protective order. Can you please run it by the promoter group and let me know if you have any questions or edits? We're hoping to get this one entered on a joint motion by the end of the week. I'll also have for you a proposed updated CMO to govern the promoter track that we can discuss, but that would probably work better if we talk Thursday so there's a chance to go through it with everyone.

Let me know what you think, thanks.

Best,

Joseph M. Kaye, P.A.  
Partner

[<image001.png>](#)

Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** [Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>

**Date:** Monday, May 19, 2025 at 3:03 PM

**To:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>

**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>

**Subject:** RE: FTX brand ambassador timing

Hi Joey,

I can speak tomorrow after 11 PT/2 ET or Wednesday after 10 PT/1 ET. It would be helpful to know what you'd like to discuss – are you still looking for additional time to amend or is your plan to amend on the timetable originally set by the Court and you're looking to address additional matters?

Thanks,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Monday, May 19, 2025 11:22 AM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>

**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Hey Jessica,

In light of the Court's order today (attached), I assume you and I will continue our discussions for all promoter defendants to keep everything moving efficiently (let me know if not otherwise and who else to join). Still digesting what's required, but I can get you a proposed PO and CMO to consider from our end. Let me know when you have some time for a call tomorrow or Wednesday so we can discuss after you've had a chance to talk with your team. Thanks, hope all is well

Best,

Joseph M. Kaye, P.A.  
Partner  
**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176

**Mailing Address:**

P.O. Box 653409

Miami, FL 33175

Office: (305) 740-1423

Direct: (786) 309-9585

<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 19, 2025, at 9:32 AM, Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)> wrote:

Adding on, if we would like to include, we could say that Plaintiffs would file their further amended CAC within 14 days of the Court ruling on the Request or holding the status conference, whichever is later

Best,

Joseph M. Kaye, P.A.  
Partner

<image002.png>

Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Date:** Monday, May 19, 2025 at 9:29 AM  
**To:** [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) <[Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Good morning Jessica,

Attached are proposed redlines. Let me know what you think, thank you.

Best,

Joseph M. Kaye, P.A.  
Partner

<image001.png>

Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Date:** Sunday, May 18, 2025 at 9:04 PM  
**To:** [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) <[Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Yes, I will send in the morning

Best,

Joseph M. Kaye, P.A.  
Partner  
**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176

**Mailing Address:**

P.O. Box 653409

Miami, FL 33175

Office: (305) 740-1423

Direct: (786) 309-9585

<https://moskowitz-law.com>

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

On May 16, 2025, at 8:17 PM, [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) wrote:

Can you propose some revisions in line with what you're suggesting so I can have the group review?

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**

10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Friday, May 16, 2025 2:17 PM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Thanks Jessica! We are reviewing on our end.

Conceptually, I don't think we would have an issue with running the deadline for briefing schedules from the date of filing the amended complaint.

But that being said, we would seek to push out the deadline to file the amended complaint pending the status conference (or a ruling on the request, whichever is sooner) for the same reasons we discussed.

Let me know if your clients would agree to that extension, and we would agree that briefing schedule would be submitted 14 days after the amended complaint is filed. Otherwise, we would make that request to extend the amended CAC deadline separately to the Court (noting the defendants' opposition).

Happy to discuss, and have a great weekend if I don't hear from you before then.

Best,

Joseph M. Kaye, P.A.  
Partner

<image003.png>

Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** [Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>

**Date:** Friday, May 16, 2025 at 3:15 PM

**To:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>

**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>

**Subject:** RE: FTX brand ambassador timing

Joey,

Further to the below, attached is a working draft motion for your consideration. This is pending full client consent on our side, but we didn't want to delay sending for plaintiffs' comments. You'll see it's a bit different from your proposal in that we've set the deadline for the parties to provide a proposed schedule as stemming from the amended complaint. But I think that also gives plaintiffs the opportunity to address (either through the status conference, if you get one, or through negotiation, if you don't) what to do with respect to tracking, etc. Happy to discuss once you've had a chance to review.

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

**From:** Stebbins Bina, Jessica (CC)  
**Sent:** Friday, May 16, 2025 8:19 AM  
**To:** 'Joseph Kaye' <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** RE: FTX brand ambassador timing

Hi Joey,

Thanks for following up. Agreed a joint motion that makes sense here – the joint defense group is putting together something that works on our end and we'll send over for your consideration at some point today. I did speak with the Wasserman/Dentsu defendants, who told me their motion is fully briefed and thus they are awaiting a court order and thus are not part of this track. So the proposed

motion will address the defendants directly impacted by the court's order as well as Riot, Furia, Monumental, Mercedes F1, and the Major League Baseball defendants.

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Thursday, May 15, 2025 1:49 PM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Hi Jessica,

Following up on this, I spoke with the group on my end. We would not have an issue with the briefing schedule you proposed below were it not for the fact that there are the contingencies you and I discussed yesterday regarding how to proceed with the various promoter tracks. For that reason, we would like to move forward with a joint motion to extend the deadlines on those various orders pending the Court's ruling on the Request for Status Conference we filed earlier this week.

It could be as simple as:

1. On [date] the Court entered orders staying [identify complaints] pending a resolution of [the motion to dismiss the celebrity promoter complaints]. In each order, the Court ordered the Parties to propose a briefing schedule within 14 days after entry of that order.
2. On May 7, 2025, the Court entered the Order denying in part the motion to dismiss [ECF No. 890].
3. On May 12, 2025, the MDL Plaintiffs filed a Request for Status Conference. [ECF. No. 896].
4. In the Request for Status Conference, Plaintiffs state that they
5. "seek guidance from the Court regarding
  - Whether those additional Celebrity and Promoter Defendants should and could be joined into the Amended Complaint, currently due May 28, 2025; and
  - Whether discovery may proceed against those additional Celebrity and Promoter FTX Defendants, given MDL Plaintiffs assert substantially similar causes of action against them, including the Florida Securities Claim.

- MDL Plaintiffs would respectfully like to serve these named FTX Celebrity Promoters the same discovery, as the other FTX Celebrity Promoters and include them in the Amended Complaint.”

1. Without speaking as to whether the Plaintiffs’ Request should be granted, the Parties jointly request that the deadlines in [orders] be stayed pending the Court’s ruling on Plaintiffs’ Request.

Let me know Defendants’ position on filing a joint motion of this nature by tomorrow at 2:00pm EST so we can take care of this in advance of the Court’s deadline (if any oppose we can file the request as such). Thanks again for the cooperation.

Best,

Joseph M. Kaye, P.A.  
Partner

Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Date:** Wednesday, May 14, 2025 at 12:59 PM  
**To:** [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) <[Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Hi Jessica,

Thanks for the call just now, and for confirming that for our purposes you've taken on the role of the liaison defense counsel for the Celebrity and Promoter Defendants (including those who have not briefed their motions to dismiss, yet, i.e., Wasserman & Dentsu, MLB, Riot Games, Mercedes F1, FURIA, and Monumental Brands). That keeps everything streamlined and I appreciate it means I don't need to have these conversations a dozen times over!

As I said on the call, we are happy to jointly file a motion to extend the deadlines for briefing on any of those yet-to-be-briefed motions to dismiss pending the Court's guidance at a status conference (which we requested earlier this week). We believe that the issues set out in that request are intertwined to the point that having the Court weigh in will best help us all keep this track organized going forward (particularly as it pertains to whether discovery can proceed, if so, to which defendants, whether the Court wants to keep the track segmented as it currently stands or have us proceed in lockstep, etc.). Please let me know if the group on your end will agree to a joint motion to this effect, and if so, we can get that on file before next Wednesday's deadline and shift our focus to getting the joint agenda for the status conference together (we can include stipulations to what we agree to, and list disputed items as agenda items, like you mentioned the defendants would uniformly oppose lifting any stay of discovery until all pleadings are totally closed).

On my end, I'll discuss with the MDL team the timing you propose below on the briefing schedule.

Feel free to call me any time to discuss, and to pass this email along to the defense team when you discuss with them. I'm at 305-733-1040. Thanks

Best,

Joseph M. Kaye, P.A.  
Partner

<image005.png>

Continental Plaza  
3250 Mary Street, Suite 202  
Coconut Grove, FL 33133  
Office: (305) 740-1423  
Direct: (786) 309-9585

*Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system*

*into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.*

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Date:** Monday, May 12, 2025 at 1:44 PM  
**To:** [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) <[Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com)>  
**Cc:** Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Great, let's do noon EST. Rejane can you please calendar? Thanks

Best,

Joseph M. Kaye, P.A.  
Partner  
**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176

**Mailing Address:**

P.O. Box 653409  
Miami, FL 33175  
Office: (305) 740-1423  
Direct: (786) 309-9585  
<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 12, 2025, at 1:43 PM, [Jessica.stebbinsbina@lw.com](mailto:Jessica.stebbinsbina@lw.com) wrote:

10 ET would be a little early for me but I can do 12 or 1 ET.

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067

Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

**From:** Joseph Kaye <[joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com)>  
**Sent:** Monday, May 12, 2025 10:17 AM  
**To:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>  
**Cc:** Stebbins Bina, Jessica (CC) <[Jessica.StebbinsBina@lw.com](mailto:Jessica.StebbinsBina@lw.com)>; Rejane Passos <[rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com)>  
**Subject:** Re: FTX brand ambassador timing

Hello Jessica,

Thanks for reaching out. Happy to discuss, what is your availability like on Wednesday between 10am and 1pm EST?

Best,

Joseph M. Kaye, P.A.  
Partner  
**The Moskowitz Law Firm, PLLC**

8883 S.W. 131 Street  
Miami, FL 33176  
**Mailing Address:**  
P.O. Box 653409  
Miami, FL 33175  
Office: (305) 740-1423  
Direct: (786) 309-9585  
<https://moskowitz-law.com>

Note: The information in this email is confidential and intended to be legally privileged. If you are not the intended recipient, you must not read, use or disseminate the information contained herein; please advise the sender immediately by reply email and delete this message and any attachments without retaining a copy. Although this email and any attachments are believed to be free of any viruses or other defects that may affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus-free and no responsibility is accepted by The Moskowitz Law Firm or the sender of this email for any loss or damage arising in any way from its use.

On May 12, 2025, at 12:57 PM, [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com) wrote:

Hi Joey,

Hope all is well. I'm writing to touch base on behalf of Latham's clients (Tom Brady, Gisele Bündchen, Larry David, Mercedes F1, FURIA, and Monumental Brands), as well as the wider brand ambassador defense group.

We'd like to get a schedule set up for any responses due to the remaining claims (or, if plaintiffs are amending, a time to respond to amended claims), as well as a schedule for the defendants who have not yet responded to any complaint. We are thinking something in the neighborhood of 60 days from the court's order if the complaint(s) are not amended, or 45 days from the filing of any amended complaints.

That said, it would be helpful to know what plaintiffs are planning to do with respect to the dismissed claims as identical claims are pending against Mercedes F1, FURIA, Monumental Brands, and the other later-added defendants. Could we set a call to discuss?

Best,

**Jessica Stebbins Bina**

**LATHAM & WATKINS LLP**  
10250 Constellation Blvd. Suite 1100  
Los Angeles, CA 90067  
Direct Dial: +1.424.653.5525  
Email: [jessica.stebbinsbina@lw.com](mailto:jessica.stebbinsbina@lw.com)  
<https://www.lw.com>

---

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, disclosure, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies including any attachments.

Latham & Watkins LLP or any of its affiliates may monitor electronic communications sent or received by our networks in order to protect our business and verify compliance with our policies and relevant legal requirements. Any personal information contained or referred to within this electronic communication will be processed in accordance with the firm's privacy notices and Global Privacy Standards available at [www.lw.com](http://www.lw.com).  
<CMO Promoter Defendants (draft 2025.05.21).docx>